

**Model University Gift Acceptance Policy**  
**July 26, 2017 Draft**  
**UnKoch My Campus**

## INTRODUCTION:

The [University/College Name] Gift Acceptance Policy has been developed for the purpose of providing:

1. complete and accurate reporting of gifts and pledges;
2. guidance for compliance with IRS regulations, acceptable business practices, and guidelines provided by the American Association of University Professors;
3. guidance for persons involved in gift solicitation, acceptance, recording, and management for [University/College Name]

The purpose of the Gift Acceptance Policy is to insure that gifts are:

1. appropriate to the mission of the University;
2. imposing no undue financial burdens of the University;
3. in line with standards of academic freedom and faculty governance
4. if restricted, go through the proper faculty review processes before they are accepted by University Advancement; and
5. if restricted, include language that permits the University to apply the gift to a related purpose in the event that the designated purpose is no longer practical, necessary, or able to be performed

The Gift Acceptance Policy applies to all of [University/College Name], including affiliate institutes, centers, and foundations. This policy is meant to supercede:

1. all other institutional policies related to fundraising activity for or on behalf of [University/College Name]
2. all other institutional policies related to the oversight of any and all university operations related to curricular impact

## DEFINITIONS:

1. **Curricular Impact**: a gift or grant will be considered to have a curricular impact if it affects or relates to the student academic experience which includes, but is not limited to, programming, courses, and programs of study, the hiring of new faculty, support for student clubs and organizations, or visiting speaker programs.
2. **Gift**: a gift is a voluntary, irrevocable transfer of cash or other assets to Wake Forest University without consideration of compensation at the time of transfer or any time in the future.

- a. **Restricted Gift:** a gift made with conditions imposed by the donor; such a gift may be for current, endowment, or capital use. Gifts that require a current or future financial commitment from the university should be considered restricted. Gifts that changes the name of a building or other facility should be considered restricted. Burdensome conditions may require that the University decline a restricted gift.
  - b. **Unrestricted Gift:** an unrestricted gift is made with no conditions imposed by the donor on spending and may be used by the University for any purpose.
3. **Grant:** a grant is an allocation of assets from a foundation, corporation, or government agency for research and development activities of University faculty, staff, and students for which services and/or products are required. Usually, a grant is made for a specific purpose, for a defined period of time, and delineated by a formal agreement between the University and the donor. Grants are usually subject to reporting requirements.
4. **Pledge:** a written or verbal statement of intent by a donor to make a gift to the university.

## AUTHORIZATIONS & RESPONSIBILITIES:

This policy acknowledges that universities use a variety of support organizations to raise funds. The authorizations and responsibilities provided to “University Advancement” throughout this document, and any related documents, apply to all fundraising entities, including University Advancement offices, fundraising foundations, and university research foundations.

### University Advancement:

The Office of University Advancement is responsible for:

1. donor stewardship;
2. managing the process of solicitations by staff, volunteers, faculty and others in accordance with approved gift policies;
3. reporting to donors their rights to anonymity or confidentiality based on the nature of their pledge;
4. managing the solicitation process and receipt of all gifts that **do not** require a written agreement, contract, or memorandum of understanding in consonance with approved University fundraising priorities;
5. transferring all gifts that require a written agreement, contract, or memorandum of understanding to the Gift Acceptance Committee for review and approval;
6. transmitting cash gifts to the Controller and non-cash gifts to the Treasurer in a timely and accurate fashion;
7. documenting all gifts and pledges in accordance with gift acceptance policies.

### Gift Acceptance Committee:

1. A Gift Acceptance Committee will be responsible for enforcing and interpreting this Gift Acceptance Policy. The Committee will include two tenured faculty members and

representatives from University Advancement and the Office of the Provost.

Representatives from the Budget Office and the Office of the General Counsel, as well as the Chief Financial Officer, the Chief Investment Officer, and the Controller may be consulted when deemed appropriate by the standing members of the committee.

2. The faculty on this committee will be appointed by the Faculty Senate through a majority vote. Faculty will serve this committee in three-year terms.
3. The Gift Acceptance Committee will review all donations made for or on behalf of the University that require a written agreement, contract, or memorandum of understanding to insure that the five principles outlined above are applied consistently.
4. The Gift Acceptance Committee will have the authority to approve or reject any donor agreements, contracts, or memorandums of understanding that are **NOT** considered a restricted gift or a grant that has curricular impact. Upon review, they will provide the Office of University Advancement with the ability to process and record the donation and agreement.
5. If a pledge is determined to be a restricted gift or a grant with curricular impact, it is the responsibility of the Gift Acceptance Committee to send the agreement to the Faculty Committee on Outside Sponsorships for review and approval.
6. If the Gift Acceptance Committee is unable to come to consensus on the approval or rejection of a donor agreement, the agreement should also be sent to the Faculty Committee on Outside Sponsors for review and approval.
7. If the Gift Acceptance Committee is unable to come to consensus on the approval or rejection of a pledge that does not require a written agreement, contract, or memorandum of understanding, the pledge should also be sent to the University President for review and approval.

#### Faculty Committee on Outside Sponsorships:

1. The Faculty Committee on Outside Financial Sponsorships will review all donations made for or on the behalf of the University that require a written agreement, contract, or memorandum of understanding and have been determined to be a “restricted gift” or a grant with curricular impact by the Gift Acceptance Committee.
2. The function of the Faculty Committee on Outside Sponsorships will be to ensure, using the policy for *the Negotiation, Approval, Implementation, and Oversight of Outside Sponsorships*, that all restricted gifts and grants with curricular impact are in line with best practices outlined to preserve academic freedom and shared governance when interacting with outside sponsors.
3. Upon approval, this committee will provide the Office of University Advancement with the ability to accept and record the pledge.
4. This committee will also be responsible for:
  - a. updating the policy for the *Negotiation, Approval, Implementation, and Oversight of Outside Sponsorships* every 5 years in order to ensure compliance with best practices;
  - b. reviewing and approving changes to the Gift Acceptance Policy
  - c. reviewing and approving policies and procedures that are related to this policy

5. This committee will be composed of a minimum of five tenured faculty members, all from a different college/school within [University/College Name]. The committee members will be appointed by the Faculty Senate through a majority vote. Faculty on this committee will serve three-year terms and may be re-elected.
6. This policy acknowledges that the Faculty Committee on Outside Sponsorships is charged with performing a vital service that places heavy demands on the time of its member faculty. If completing the responsibilities outlined in this policy proves excessive for the members of this committee, the committee is authorized to entrust its responsibilities, or a portion of its responsibilities, to some other faculty committee formed by the sitting members of the Faculty Committee on Outside Sponsorships and approved by the Faculty Senate.

## GIFT TRANSPARENCY:

A donor that pledges a gift that is unrestricted, such as a general donation to the endowment of the university to be used at the will of the university, is allowed to make their gift anonymous. University Advancement will be bound to respect the confidentiality of that donation.

The Office of University Advancement may **NOT** provide a donor that restricts their gift or makes a grant to the university that has curricular impact the right to anonymity or confidentiality. The terms and conditions outlined in their restricted gift or grant agreement may be reviewed by the Gift Acceptance Committee, the Faculty Committee on Outside Sponsorships, and the public. For more on this transparency policy, please see [University/College Name] *Policy for the Negotiation, Approval, Implementation, and Oversight of Outside Sponsorships*.

## DECLINING GIFTS:

### Declining Gifts:

Gifts may have to be declined under certain circumstances, including, but not limited to, the following:

1. the gift is restricted and would require support from other resources that are unavailable, inadequate, or needed for other institutional purposes;
2. the gift is restricted and would support a purpose or program peripheral to existing principal purposes of the institution, or create or perpetuate programs or obligations, which would dissipate resources or deflect energies from other programs or purposes;
3. the gift or grant would limit, or tend to limit, the academic freedom of the university;
4. the gift or grant would limit, or tend to limit, the exercise of proper faculty governance standards;
5. the gift or grant would injure the reputation or standing of the university, or generate such controversy as to substantially frustrate and defeat the educational purpose to be served.